

EXHIBIT N

Gonzalez, Betzabeth
L.C., a minor v. State of California

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

L.C., a minor by and through)
her guardian ad litem Maria)
Cadena; et al.,)
)
 Plaintiff,)
)
)
 vs.) Case No.
) 5:22-cv-00949-KK- (SHKx)
STATE OF CALIFORNIA; COUNTY)
OF SAN BERNARDINO; et al.,)
)
 Defendants.)
)

VIDEOCONFERENCE DEPOSITION OF BETZABETH GONZALEZ

Taken on Monday, December 30, 2024, at 10:20 a.m.

REPORTED BY:

NICOLE JOHNSON

CSR No. 13030

**Gonzalez, Betzabeth
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Defendants.)
_____)
11)

16 Deposition of BETZABETH GONZALEZ, taken on
17 behalf of the defendants, via Zoom videoconferencing, at
18 10:20 a.m., Monday, December 30, 2024, before Nicole
19 Johnson, CSR #13030, as a Certified Shorthand Reporter
20 within and for the County of Orange, State of California.

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1 APPEARANCES:

2

3 For the Plaintiffs:

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22 For the Defendants
23 State of California, Kee, Blackwood, Rubalcava:

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26

27

28 The Videographer: Ed Gallo

29

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8 The name of the case is L.C. versus State of
9 California filed in United States District Court, Central
10 District of California. Case Number CV-00949 [sic]. This
11 is Volume 1 in the videotaped deposition of Betzabeth
12 Gonzalez.

13 The deposition is taken by attorney Amy
14 Margolies. Would the attorneys introduce themselves and
15 state who you represent.

16 ATTORNEY MARGOLIES: Amy Margolies from Lynberg
17 and Watkins on behalf of the County of San Bernardino and
18 Deputy Adams and Vaccari.

19 ATTORNEY SINCICH: Good morning. My name is
20 Marcel Sincich. I'm from the law offices of Dale K.
21 Galipo, and I represent the plaintiffs in this matter.

22 ATTORNEY ESQUIVEL: Good morning. Diana
23 Esquivel on behalf of defendant State of California by and
24 through the California Highway Patrol, Officers Blackwood,
25 Kee, and Rubalcava.

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1 THE VIDEOGRAPHER: The court reporter today is
2 Nicole Johnson. Would reporter please swear in the
3 witness.

4

5 | ooo

6 BETZABETH GONZALEZ,

7 was called as a witness, and having been
8 first duly sworn by the Certified
9 Shorthand Reporter in accordance with
10 CCP Section 2094, testified as follows:

1

THE WITNESS: Yes.

13 THE REPORTER: Thank you.

14

15 EXAMINATION

16 BY ATTORNEY MARGOLIES:

17 Q. Good morning, Ms. Gonzalez. Thank you for being
18 here today.

19 A. Good morning.

20 Q. I'm going to show you a notice of deposition.
21 If you could just confirm for me that this is the same
22 notice that you received to be here today.

I do not know what exhibit number we left off
on. According to my notes I believe we are on 52. If
either counsel knows?

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1 going into '25; right? So in '23.

2 Q. You said that you made this phone call when you
3 were off work for about three months; is that right?

4 A. Yeah. That's when I -- I -- I tried to reach
5 her again.

6 Q. So would that have been, like, in the summer
7 months of 2023? June, July, August 2023?

8 A. I think so. I don't recall exactly the time, to
9 be honest with you.

10 Q. Okay. And to make sure I understand, prior to
11 this phone call with Gabby -- Hector's sister -- a year
12 and a half ago, you had never had any communication with
13 any of the plaintiffs in this case?

14 A. That's correct.

15 Q. Have you had any communications other than this
16 one phone call with Gabby with anyone on behalf of the
17 plaintiffs?

18 A. No.

19 Q. And do you know what I mean by that?

20 A. You mean -- can you ask the question again?

21 Q. Yeah. When I say "on behalf of the plaintiffs,"
22 I'm referring to it could be their attorney or a private
23 investigator or a friend.

24 A. No.

25 Q. And how long was that phone call with Gabby a

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1 **year and a half ago?**

2 A. It was really quick. Probably -- like,
3 really -- I mean, I just -- I would say maybe, like, less
4 than five minutes, probably. I just, you know, shared
5 that -- that I have the video and I -- I gave her my
6 condolences. And that was about it. And -- yeah.

7 And she asked me if I could share the video with
8 her -- with her attorneys.

9 Q. **Okay. So then did you do that?**

10 A. I did.

11 Q. **Okay. When did you share the video with her
12 attorneys?**

13 A. Probably, like, around -- like, a little bit
14 short after I got an email. So I was -- she asked me
15 to -- that I was going to get contacted by them. And I
16 spoke with someone. I believe their name was Sal or
17 something. And I shared the video with them.

18 Q. **Okay. Just want to make sure I get the sequence
19 of events right. So about a year and a half ago you have
20 a phone call with Gabby; correct?**

21 A. Yes.

22 Q. **It's about a five-minute phone call?**

23 A. Yes.

24 Q. **And in that phone call, you let her know that
25 you had a video of the incident?**

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1 A. Yes.

2 Q. And you gave her your condolences?

3 A. Yes.

4 Q. Do you remember anything else about that phone
5 call?

6 A. No.

7 Q. After -- or during that phone call, Gabby also
8 told you that her attorneys would be contacting you?

9 A. Well, she asked me if I would be okay with
10 giving the video to them. And I said that was fine.

11 Q. Okay. But at that time you hadn't given it to
12 Gabby?

13 A. No.

14 Q. Okay. And I think you said what happens next is
15 that you received an email from her attorney -- or the
16 plaintiffs' attorney?

17 A. Yes.

18 Q. And do you remember the name of the law firm or
19 who you received the email from?

20 A. I just remember it said Sal -- Sal -- Salvatore
21 or Sal or something like that. But I don't remember the
22 specifics.

23 Q. Okay. And what do you recall that email saying?

24 A. It just asked -- it was a Dropbox. And it asked
25 to drop the -- the video in that Dropbox.

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1 Q. And so what did you do next?

2 A. I just dropped it on the Dropbox.

3 Q. Did you receive any type of confirmation from
4 them that they received it?

5 A. No.

6 Q. Did anyone ever ask you about the video at all,
7 other than to drop it in the Dropbox?

8 A. No.

9 Q. And you recall providing this approximately a
10 year and a half ago?

11 A. I believe so.

12 Q. From the time that you received that email and
13 you uploaded the video to the Dropbox, when was the next
14 time you had contact with anyone about this case?

15 A. When I got the letter to do this. Like, I think
16 I got that two weeks ago.

17 Q. And when you say the letter to do this, are you
18 referring to the notice of deposition that I showed you
19 earlier?

20 A. Yes.

21 Q. Okay. So if I have it right, you have a phone
22 call with Gabby, an email with someone named Sal where you
23 upload the video to a Dropbox, and then our notice of
24 deposition?

25 A. Correct.

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1 **SUV, could you see all of Hector's body?**

2 A. I don't remember. I just -- I remember being
3 able to see, like, part of his body. Not his entire body.
4 But, like, the side of his body. So -- but, yeah.

5 **Q. Could you see the front of his waistband?**

6 A. I don't remember.

7 ATTORNEY MARGOLIES: I'm going to show you what
8 has been marked as plaintiffs' 241. Which this would be
9 Exhibit 53, I believe.

10 (Exhibit 53 was marked for identification
11 by the shorthand reporter.)

12 BY ATTORNEY MARGOLIES:

13 **Q. Do you see a video on your screen?**

14 A. Yes.

15 **Q. And do you recognize this video?**

16 A. Yeah.

17 **Q. What is it?**

18 A. It looks like the video that I recorded. Well,
19 kind of looks like the beginning of it.

20 **Q. Okay. Would it be fair to say that when you**
21 **were taking a video of the incident, similar to how when**
22 **you were watching through your view finder, you had to**
23 **zoom in to capture this?**

24 A. Yes.

25 **Q. I'm going to just play it. The video is**

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1 9 minutes and 55 seconds. Do you know, is this the only
2 video that you have of the incident?

3 A. Yes.

4 Q. Do you recall this being the entire video that
5 you have of the incident? Meaning you only captured
6 9 minutes and 55 seconds?

7 A. I think there's, like, two other short ones, but
8 this is the main video. Like, when everything ended.

9 Q. Tell me about the two other short videos. What
10 were they of?

11 A. I don't remember specifics. I just remember it
12 was part of what happened.

13 Q. Were the two other short videos prior to the
14 video that we're looking at now?

15 A. Yes.

16 Q. And were the two other short videos -- when you
17 say "short," do you know how long they were?

18 A. Maybe like a minute.

19 Q. Each?

20 A. Give or take. Maybe one -- one was like a
21 minute and the other one was maybe like two minutes. I
22 don't remember, to be honest.

23 Q. Do you still have these videos saved on your
24 computer?

25 A. Yes.

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1 Q. Did you upload these two videos also to that
2 Dropbox?

3 A. Yes.

4 Q. When we get done here today, would you be able
5 to send us those videos? And if not, could we send you a
6 link to upload them?

7 A. Yes.

8 Q. What do you recall the two other short videos
9 being of? I believe you said one was probably about a
10 minute, give or take, and the other was two minutes, give
11 or take. Which one was first?

12 A. I don't remember. I'd have to, like, look for
13 them and look at them. Yeah.

14 Q. Okay. Do you recall if these two other videos
15 were when Hector was still in his vehicle?

16 A. I don't remember.

17 Q. And what kind of phone were you using to capture
18 this?

19 A. I believe it's a Samsung Note.

20 Q. Do you still have that phone?

21 A. I'd have to look. I don't think so. I don't --
22 yeah.

23 Q. What year was that phone that you captured this
24 incident on?

25 A. Like, what year was it made? Or --

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1 REPORTER'S CERTIFICATION
2
3

I, Nicole Johnson, do hereby certify:

That I am a licensed Certified Shorthand Reporter, duly qualified and certified as such by the State of California.

That prior to being examined, the witness named in the foregoing deposition was duly sworn to testify under oath.

That the preceding deposition was recorded stenographically by me at the time and place herein mentioned; and that the preceding pages constitute a complete and accurate record of the testimony given by the aforementioned witness.

That I am a neutral party, in no way interested in the outcome of said action, and that I am not related to or otherwise connected with any of the parties involved with this matter, or their respective counsel.

Dated: January 10, 2025

Nicole Johnson

Nicole Johnson, CSR No. 13030